



# LEGISLATIVE BRANCH ▪ CITY OF BINGHAMTON

*Tom Scanlon, City Council President*  
*Leighton Rogers, City Clerk*

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## COUNCIL OF THE CITY OF BINGHAMTON

### Business Meeting Agenda

2<sup>nd</sup> Floor Atrium, 38 Hawley Street, Binghamton, NY 13901

Wednesday, July 22, 2020

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. ACKNOWLEDGEMENTS AND RECOGNITIONS**

**V. REPORTS FROM COMMITTEES AND APPROVAL OF MINUTES**

**Approval of Minutes**

Approve the Minutes from July 8, 2020 Business Meeting and July 13, 2020 Special Business Meeting

**City Council Finance Committee: Strawn (Chair), Resciniti, Burns**

No items to report.

**City Council Planning & Community Development Committee: Strawn (Chair), Scaringi, Friedman**

No items to report.

**City Council Municipal and Public Affairs Committee: Resciniti (Chair), Strawn, Riley**

No items to report.

**City Council Public Works/Parks and Recreation Committee: Resciniti (Chair), Scaringi, Riley**

No items to report.

**City Council Employees Committee: Scaringi (Chair), Resciniti, Burns**

No items to report.

**City Council Rules and Procedures/Special Studies Committee: Scaringi (Chair), Strawn, Friedman**

No items to report.

**VI. APPROVAL OF APPOINTMENTS**

**VII. PUBLIC HEARING**

1. City Council will hold a public hearing regarding a proposed amendment to the 2020 Bond Ordinance for the Tennis Courts at Recreation Park in the amount of \$9,692,235, an increase of \$700,000 from original bond ordinance.

2. City Council will hold a public hearing regarding a proposed amendment to the 2016 Bond Ordinance for the Water Filtration Sludge Extraction System to increase the total project cost to \$6,100,000, and that we expect grant revenues to offset the cost not to exceed \$3,000,000.

3. City Council will hold a public hearing regarding a proposed Bond Ordinance for design of new Fire Station in an amount not to exceed \$800,000.



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### VIII. SET PUBLIC HEARINGS

1. City Council will hold a Public Hearing regarding RL20-123: A Local Law amending Chapter 170 of the Code of the City of Binghamton to include "ARTICLE III, CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY" also known as "Social Host Ordinance"

The Public Hearing will be held during the next regular City Council Business Meeting held on Wednesday, August 5, 2020, at 6:30pm in the Second Floor Atrium located in City Hall at 38 Hawley Street in Binghamton, NY. Residents wishing to submit comment for the Public Hearings may do so electronically by emailing their comments prior to the meeting to [clerk@cityofbinghamton.com](mailto:clerk@cityofbinghamton.com) (preferred) or via telephone during the Public Hearing at (607) 772-7101 as City Hall will be closed to the public during the meeting. For any questions, please contact the City Clerk's Office at (607) 772-7005.

### IX. PUBLIC COMMENT/COMMUNICATION

\*Please note:

Residents wishing to submit public comment may do so electronically by emailing their comments prior to 6:00pm on the day of the meeting to [clerk@cityofbinghamton.com](mailto:clerk@cityofbinghamton.com) (preferred) or via telephone during public comment at (607) 772-7101 as City Hall will be closed to the public during the meeting.

### X. REVIEW OF MAYORAL VETO

### XI. SECOND READING LEGISLATION

### XII. FIRST READING LEGISLATION

#### A. PREFERRED AGENDA

#### B. NON-PREFERRED AGENDA

##### **Introductory Ordinance 20-63. Considered in Finance: Strawn**

An Ordinance to amend the 2020 Capital Fund budget to close bond lines that are no longer active

##### **Introductory Ordinance 20-64. Considered in Finance: Strawn**

An Ordinance to amend the 2020 Capital Fund budget to close serial bond revenue line for grant funds received and increase federal and state aid for transportation projects for grant funds used to pay down bonds/bonds

##### **Introductory Ordinance 20-65. Considered in Finance: Strawn**

An Ordinance to amend the 2020 Fire Department budget



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**Introductory Ordinance 20-66. Considered in Finance: Strawn**

An Ordinance amending the 2020 General Fund budget for the purchase of 235 Court Street for a new fire station

**Introductory Ordinance 20-67. Considered in Finance: Strawn**

An Ordinance to amend the 2020 Department of Public Works budget to defund a Heavy Equipment Operator position and to fund a Heavy Equipment Operator and Trainer position

**Introductory Ordinance 20-68. Considered in Finance: Strawn**

A Bond Ordinance of the City of Binghamton, New York adopted July 22, 2020, authorizing the preparation of preliminary plans and specifications in connection with the constructing of the new fire station on land to be acquired by the City, stating the estimated maximum cost thereof \$800,000, appropriating said amount for such purpose and authoring the issuance of bonds of the City in the principal amount of not to exceed \$800,000 to finance said appropriation

**Introductory Ordinance 20-69. Considered in Finance: Strawn**

A Bond Ordinance of the City of Binghamton, New York, adopted July 22, 2020, amending the bond ordinance adopted January 22, 2020 on account of an increase in the cost of the replacement of tennis courts

**Introductory Ordinance 20-70. Considered in Finance: Strawn**

A Bond Ordinance of the city of Binghamton, New York, adopted July 22, 2020, determining that the new estimated maximum cost of the installation of a water filtration/sludge extraction system (the "project") heretofore authorized pursuant to the bond ordinance duly adopted by the council of the city on February 17, 2016 (the "2016 bond ordinance"), is \$6,100,000; further determining that grant funds in the amount of not to exceed \$3,000,000 from the state of New York have been or are expected to be received on account of said project and shall be applied to pay a portion of the cost of the project or to redeem bond anticipation notes issued therefor; and further determining that the new plan of financing includes the expenditure of said grant funds of the city to pay a portion of the cost of the project or to redeem bond anticipation notes issued therefor, the issuance of bonds of the city in the principal amount of not to exceed \$5,100,000 to finance a part of said cost and the levy and collection of taxes upon all the taxable real property in the city to pay the principal of said bonds and the interest thereon as the same shall become due and payable

**Introductory Ordinance 20-71. Considered in MPA: Resciniti**

An Ordinance authorizing the sale of a portion of 1209 Vestal Ave and a permanent easement with Pritchard Property Development, LLC

**Introductory Resolution 20-58. Considered in Finance: Strawn**



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A Resolution authorizing the Mayor to enter into an agreement with Joh W. Danforth Company for Change Order No.3 regarding the Binghamton-Johnson City Joint Sewage Treatment Facilities Phase III Project

**Introductory Resolution 20-59. Considered in Planning: Strawn**

A Resolution authorizing the Mayor to enter into an agreement with the NYSDOT to maintain, repair, and energize lighting installed for the Greenway Project, NYS Route 434 (SH#49-8), PIN 903826

**Introductory Resolution 20-60. Considered in Public Works/Parks: Resciniti**

A Resolution authorizing the City of Binghamton to accept a donation of in-kind services from the BOCES Summer Youth Employment for improvement at the City of Binghamton parks

**Introductory Resolution 20-61. Considered in Finance: Strawn**

A Resolution authorizing the City of Binghamton to accept a donation from the EWS Foundation to pay Delta Engineers for the engineering work for the Fairview Park Project in the amount of \$9,400

**Introductory Resolution 20-62. Considered in Public Works/Parks: Resciniti**

A Resolution authorizing the Mayor to enter into a professional services agreement with Play by Design for design, pre-construction, and construction supervision for Ourspace at Recreation Park

**Introductory Resolution 20-63. Considered in Rules: Scaringi**

A Resolution authorizing the Binghamton Rumble Ponies to conduct firework displays in 2020

**Introductory Resolution 20-64. Considered in MPA: Resciniti**

A Resolution authorizing the City of Binghamton to accept a donation from the West Islip Fire District to the Binghamton Fire Department

**Introductory Resolution 20-65. Considered in MPA: Resciniti**

A Resolution condemning hateful acts and racism

**Introductory Resolution 20-66. Considered in Finance: Strawn**

A Resolution authorizing the Mayor to enter into a Payment in Lieu of Taxes (PILOT) agreement with Opportunities of Broome and Chenango Inc. for 542 State Street

**Introductory Resolution 20-67. Considered in Finance: Strawn**

A Resolution authorizing the mayor to enter into a lease with Binghamton Tech LLC for 155 Court St. for a temporary fire station





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## **XIII. COMMUNICATIONS FROM COUNCIL MEMBERS**

## **XIV. ADJOURNMENT**



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE***entitled*

AN ORDINANCE TO AMEND THE 2020  
CAPITAL FUND BUDGET TO CLOSE BOND  
LINES THAT ARE NO LONGER ACTIVE

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2020 Capital Fund budget to close bond lines that are no longer active; and

WHEREAS, these budget amendments were approved by the Board of Estimate and Apportionment on July 1, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 Capital Fund budget to close bond lines that are no longer active as follows:

Transfer From (Decrease):

\$1,906,084.97 H7110.525116.40914 (Front St  
Gateway)  
726,195.02 H7110.525115.40914 (North Bank  
Susq Trail)  
25,289.56 H7110.525127.40914 (BH Impr-  
Dsgn/Const)  
86.42 H7110.525129.40914 (Imrpov Bathrm  
Facil at Parks)

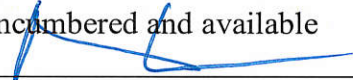
\$2,657,655.97Transfer To (Decrease):

\$2,657,655.97 (Serial Bonds)

\$2,657,655.97

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2020  
CAPITAL FUND BUDGET TO CLOSE SERIAL  
BOND REVENUE LINE FOR GRANT FUNDS  
RECEIVED AND INCREASE FEDERAL AND  
STATE AID FOR TRANSPORTATION  
PROJECTS FOR GRANT FUNDS USED TO PAY  
DOWN BANS/BONDS

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2020 Capital Fund budget to close Serial Bond revenue line for grant funds received and increase Federal and State Aid for Transportation projects for grant funds used to pay down bans/Bonds; and

WHEREAS, these budget amendments were approved by the Board of Estimate and Apportionment on July 1, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 Capital Fund budget to close Serial Bond revenue line for grant funds received and increase Federal and State Aid for Transportation projects for grant funds used to pay down bans/Bonds:

Transfer From (Decrease):

\$1,611,530.49 H.45710 (Serial Bonds)

Transfer To (Increase):

\$1,464,015.41 H.44597 (St.Aid Trans Cap  
Grants)  
147,515.08 H.43597 (Fed Aid Transp  
Cap Proj)

\$1,611,530.49

\$1,611,530.49

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
Chuck Shager, Comptroller



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

**AN ORDINANCE TO AMEND THE 2020 FIRE  
DEPARTMENT BUDGET**

WHEREAS, the Comptroller of the City of Binghamton finds it proper and necessary to amend the 2020 Fire Department budget to create a budget line for "Relocaiton Expenses" for the Fire Department, which is required to relocated based on an engineering report regarding the floor at an existing fire station, and to fund same; and

WHEREAS, such budget amendment was approved by the Board of Estimate and Apportionment on July 22, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 Fire Departmen budget to create budget line A3410.54205 (Relocation Expenses) and to fund same as follows:

Transfer From (Decrease):

\$19,723 A3410.54610 (Bldg/Equip Imprpov & Maint)

5,886 A3410.51900 (Overtime)  
5,000 A3140.5419 (EMS Supplies)  
5,000 A3410.54190 (Uniforms)  
5,000 A3410.51660 (AL Leave Time)  
5,000 A3410.54701 (Travel & Training)  
4,391 A3410.51800 (Temp Services)

\$50,000

Transfer To (Increase):

\$45,000 A3410.54205 (Relocation Expenses)

3,500 A3410.54202 (Electricity)  
1,500 A3410.54201 (Gas-Heat)

\$50,000

Section 2. That this ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller





**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE AMENDING THE 2020  
GENERAL FUND BUDGET TO PURCHASE 235  
COURT STREET FOR A NEW FIRE STATION

WHEREAS, the Mayor and Comptroller of the City of Binghamton find it proper and necessary to amend the 2020 General Fund budget to purchase 235 Court Street (Parcel ID 160.35-2-50); and

WHEREAS, such budget amendment was approved by the Board of Estimate and Apportionment on July 22, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and Treasurer of the City of Binghamton are hereby authorized and directed to amend the 2020 General Fund budget to purchase 235 Court Street (Parcel ID 160.35-2-50) as follows:

Transfer From:

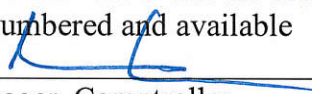
\$220,000 A.599 (Appropriated Fund Balance)

Transfer To:

\$220,000 A1364.54681 (Taxes/Purchases of  
Real Property)

Section 2. That this Ordinance shall take effect immediately.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AN ORDINANCE TO AMEND THE 2020  
DEPARTMENT OF PUBLIC WORKS BUDGET  
TO DEFUND A HEAVY EQUIPMENT  
OPERATOR POSITION AND TO FUND A  
HEAVY EQUIPMENT OPERATOR AND  
TRAINER POSITION

WHEREAS, the Commissioner of the Department of Public Works of the City of Binghamton find it proper and necessary to amend the 2020 Department of Public Works budget, to defund a Heavy Equipment Operator position and to fund a Heavy Equipment Operator and Trainer position; and

WHEREAS, the budget transfer was approved by the Board of Estimate and Apportionment on July 22, 2020

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Comptroller and City Treasurer of the City of Binghamton are hereby authorized and directed to amend 2020 Department of Public Works budget, to defund a Heavy Equipment Operator position and to fund a Heavy Equipment Operator and Trainer position as follows:

Transfer From (Decrease):

\$21,093.60 A5110.51000 (HEO)  
440.00 A1490.51800 (Temp Serv.)

\$21,533.60

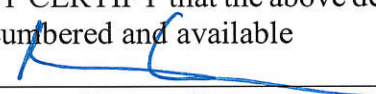
Transfer To (Increase):

\$21,533.60 (HEO-Trainer)

\$21,533.60

Section 2. That this ordinance shall take effect July 25, 2020.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller



## State Environmental Quality Review Act

After the title of the Bond Ordinance for Design of the Fire Station is read, and before a vote, do the following:

**A. Motion to declare City Council as “Lead Agency” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Voice vote**

**B. Motion to identify the proposed action as “Unlisted” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Voice vote**

**C. Motion to issue a negative declaration under SEQRA for the following reasons:**

**Nature of action.** An ordinance authorizing issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station.

**Findings.** Court Street is the main commercial street in the City of Binghamton. The property is in a C-1 Service Commercial District, which allows such uses as light industrial, bus depot, and dormitory. While currently vacant, the most recent use of the property was classified as 433 - Auto body. It is located close to access to downtown, Routes 11 and 7 (the Brandywine Parkway). The City owns adjacent properties on Pine Street, allowing for improved ingress/egress. The City has also been advised by the NYS Department of Transportation that the property can access Chapman Street, thus minimizing potential impacts on Court Street and Pine Street. The New York State Historic Preservation Office (SHPO) has determined that the existing structure on the property is not historically significant.

While purchase of the property and authorizing a bond for design are important steps in the process, they are preliminary steps in a longer more detained process. Once an initial design is presented, it will require additional public hearing(s), site plan review for various impacts, including traffic, noise, etc... and approval from the City of Binghamton

Commission on Architecture and Urban Design (“CAUD”). Thus it is anticipated that this initial SEQRA determination will be supplemented as the process evolves.

Based on the forgoing, it is determined that issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station will not have a significant impact on the environment.

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Roll call vote**

**State Environmental Quality Review**  
**Negative Declaration of Unlisted Action**

**Project Number:** None

**Date:** July 22, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

**Nature of action.** An ordinance authorizing issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station.

**Findings.** The City of Binghamton City Council has determined that the proposed action described above is an unlisted action. Court Street is the main commercial street in the City of Binghamton. The property is in a C-1 Service Commercial District, which allows such uses as light industrial, bus depot, and dormitory. While currently vacant, the most recent use of the property was classified as 433 - Auto body. It is located close to access to downtown, Routes 11 and 7 (the Brandywine Parkway). The City owns adjacent properties on Pine Street, allowing for improved ingress/egress. The City has also been advised by the NYS Department of Transportation that the property can access Chapman Street, thus minimizing potential impacts on Court Street and Pine Street. The New York State Historic Preservation Office (SHPO) has determined that the existing structure on the property is not historically significant.

While purchase of the property and authorizing a bond for design are important steps in the process, they are preliminary steps in a longer more detained process. Once an initial design is presented, it will require additional public hearing(s), site plan review for various impacts, including traffic, noise, etc... and approval from the City of Binghamton Commission on Architecture and Urban Design ("CAUD"). Thus it is anticipated that this initial SEQRA determination will be supplemented as the process evolves.

Based on the forgoing, it is determined that issuance of \$800,000 serial bonds to finance design of a proposed new fire station and purchase of 235 Court Street, Binghamton, New York for the proposed new fire station will not have a significant impact on the environment.

**For Further Information**

Contact Person: Thomas Scanlon, President  
City of Binghamton City Council

Address: City Hall  
38 Hawley Street  
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, /, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JULY 22, 2020, AUTHORIZING THE PREPARATION OF PRELIMINARY PLANS AND SPECIFICATIONS IN CONNECTION WITH THE CONSTRUCTION OF A NEW FIRE STATION ON LAND TO BE ACQUIRED BY THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$800,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton (the "City") recognizes the need for the construction of a new fire station in the City and shall authorize the preparation of preliminary plans and specifications in connection therewith;

WHEREAS, the Council of the City expects to acquire land for the site of said new fire station and demolish the existing structure(s) thereon, at a total estimated cost of \$355,000, using funds other than bonds.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain (by the favorable vote of not less than two-thirds of all the members of said Council) as follows:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to prepare preliminary plans and specifications in connection with the construction of a new fire station on land to be acquired by the City (the "Project"). The estimated maximum cost of the Project, including preliminary costs and costs incidental thereto and the financing thereof, is \$800,000 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance No. \_\_\_\_\_. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$800,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Section 2. Bonds of the City in the principal amount of not to exceed \$800,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.



**State Environmental Quality Review**  
**Determination of Type II Action**  
**and an Unlisted Action For One Additional Tennis Court**

**Project Number:** None

**Date:** July 22, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

**State Environmental Quality Review Act**

After the title of the Ordinance to amend the Bond for the tennis courts is read, and before a vote, do the following:

**A. Motion to declare City Council as “Lead Agency” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Voice vote**

**B. Motion to identify the proposed action as “Type II.”**

On January 22, 2020, the City of Binghamton City Council authorized and completed SEQRA for a variety of capital projects, including improvements to tennis courts. Subsequently it was determined that the cost to improve the tennis courts would exceed the January 22, 2020, bond approval. Thus the City is amending the January 22, 2020, bond approval to increase the allocation for Item “J. Replace Tennis Courts” to increase the total amount to \$1,300,000. A Type II determination was made on January 22, 2020.

The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C (1) maintenance or repair involving no substantial changes in an existing structure or facility, (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, and (21) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

**Roll Call vote**



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

AMENDING BOND ORDINANCE OF THE CITY  
OF BINGHAMTON, NEW YORK, ADOPTED  
JULY 22, 2020, AMENDING THE BOND  
ORDINANCE ADOPTED JANUARY 22, 2020 ON  
ACCOUNT OF AN INCREASE IN THE COST OF  
THE REPLACEMENT OF TENNIS COURTS

WHEREAS, the Council of the City of Binghamton (the "City"), in the County of Broome, New York, has heretofore duly authorized the issuance of bonds in the principal amount of not to exceed \$8,992,235 to finance various capital projects in and for the City, including the replacement of tennis courts, at an estimated maximum cost of \$600,000, all as specified in the bond ordinance adopted on January 22, 2020; and

WHEREAS, the Council has now determined that the total cost of the replacement of tennis courts is \$1,300,000, and it is necessary and in the public interest to increase the appropriation for such project by \$700,000 and to amend said bond ordinance to authorize the issuance of an additional \$700,000 bonds to finance said increased appropriation.

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNCIL OF THE CITY OF BINGHAMTON, IN THE COUNTY OF BROOME, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section A. The bond ordinance of said City duly adopted by the Council of the City on January 22, 2020 entitled:

Bond Ordinance of the City of Binghamton, New York, adopted January 22, 2020, authorizing various capital improvements in and for the City, stating the estimated maximum cost thereof is \$8,992,235, appropriating said amount for such purpose and authorizing the issuance of bonds of the City in the principal amount of not to exceed \$8,992,235 to finance said appropriation,"

is hereby amended to read as follows:

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

BOND ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JANUARY 22, 2020 AND AMENDED ON JULY 22, 2020, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,692,235, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,692,235 TO FINANCE SAID APPROPRIATION

WHEREAS, the Council of the City of Binghamton recognizes the need to provide for various capital improvements in and for the City, as more specifically described herein;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BINGHAMTON, NEW YORK, DULY CONVENED (by the favorable vote of not less than two-thirds of all the members of said Council) AS FOLLOWS:

Section 1. The City of Binghamton, in the County of Broome, New York (herein called the "City"), is hereby authorized to construct, acquire or undertake the various projects as described in Column A of said Schedule I, attached hereto and made a part hereof, at the estimated maximum costs indicated in Column B of said Schedule I. The estimated total cost of such projects, including preliminary costs and costs incidental thereto and the financing thereof, is \$9,692,235 and said amount is hereby appropriated therefor, such appropriation having been authorized by the Council pursuant to Ordinance Nos. \_\_\_\_ and \_\_\_\_\_. The plan of financing includes the issuance of bonds of the City in the principal amount of not to exceed \$9,692,235 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Debt service on the obligations herein authorized is expected to be paid from the respective funds of the City set forth in Column D of said Schedule I. Any grant funds received from the United States of America, the State of New York or from any other source, including the grant funds referenced in Column E of said Schedule I, in connection with the various projects described in Column A of said Schedule I, are authorized to be applied towards the cost of said projects or redemption of the City's bonds or notes issued therefor, or to be budgeted as an offset to the amounts to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the City in the aggregate principal amount of not to exceed \$9,692,235 are hereby authorized to be issued in the principal amounts indicated in Column C of said Schedule I for each of the respective objects or purposes indicated in Column A of said Schedule I, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance the appropriation referred to herein.

Section 3. The respective periods of probable usefulness of the specific objects or purposes and classes of objects or purposes for which said bonds are authorized to be issued, within the limitations of §11.00 a. of the Law as referenced in Column G of said Schedule I, are set forth in Column F of said Schedule I.

Section 4. The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the City for expenditures made

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

after the effective date of this ordinance for the purposes for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 5. Each of the bonds authorized by this ordinance, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by general tax upon all the taxable real property within the City. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this ordinance and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancements, are hereby delegated to the City Comptroller, the chief fiscal officer of the City.

Section 7. The validity of the bonds authorized by this ordinance, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such ordinance, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 8. This bond ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish the foregoing ordinance, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "*The Press & Sun-Bulletin*," a newspaper published in Binghamton, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Section B. The amendment of the bond ordinance set forth in Section A of this ordinance, shall in no way affect the validity of the liabilities incurred, obligations issued, or action

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

taken pursuant to said bond ordinance, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond ordinance, as so amended.



## State Environmental Quality Review Act

After the title of the Ordinance to amend the Bond for the sludge extraction system is read, and before a vote, do the following:

### **A. Motion to declare City Council as “Lead Agency” under SEQRA.**

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

#### **Voice vote**

### **B. Motion to identify the proposed action as “Type II.”**

On February 17, 2016, the City of Binghamton City Council authorized and completed SEQRA for a variety of capital projects, including a proposed sludge extraction system at the City of Binghamton Water facility. This bond is to amend the financing of the project to include grant funding and does not increase the total bond.

The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C (1) maintenance or repair involving no substantial changes in an existing structure or facility, (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, and (21) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

Motion made by \_\_\_\_\_,

Seconded by \_\_\_\_\_,

#### **Roll Call vote**



**State Environmental Quality Review**  
**Determination of Type II Action**

**Project Number:** None

**Date:** July 22, 2020

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

**Nature of action.** On February 17, 2016, the City of Binghamton City Council authorized and completed SEQRA for a variety of capital projects, including a proposed sludge extraction system at the City of Binghamton Water facility. This bond is to amend the financing of the project to include grant funding and does not increase the total bond.

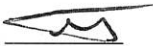
**Findings.** The City of Binghamton City Council has determined that the proposed action described above is a Type II action based on §617.5 Type II C (1) maintenance or repair involving no substantial changes in an existing structure or facility, (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, and (21) minor temporary uses of land having negligible or no permanent impact on the environment; and no further environmental review is necessary.

**For Further Information**

Contact Person: Thomas Scanlon, President  
City of Binghamton City Council

Address: City Hall  
38 Hawley Street  
Binghamton, NY 13901

Telephone Number: 607-772-7005 (City Clerk's Office)



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**ORDINANCE**

*entitled*

ORDINANCE OF THE CITY OF BINGHAMTON, NEW YORK, ADOPTED JULY 22, 2020, DETERMINING THAT THE NEW ESTIMATED MAXIMUM COST OF THE INSTALLATION OF A WATER FILTRATION/SLUDGE EXTRACTION SYSTEM (THE "PROJECT") HERETOFORE AUTHORIZED PURSUANT TO THE BOND ORDINANCE DULY ADOPTED BY THE COUNCIL OF THE CITY ON FEBRUARY 17, 2016 (THE "2016 BOND ORDINANCE"), IS \$6,100,000; FURTHER DETERMINING THAT GRANT FUNDS IN THE AMOUNT OF NOT TO EXCEED \$3,000,000 FROM THE STATE OF NEW YORK HAVE BEEN OR ARE EXPECTED TO BE RECEIVED ON ACCOUNT OF SAID PROJECT AND SHALL BE APPLIED TO PAY A PORTION OF THE COST OF THE PROJECT OR TO REDEEM BOND ANTICIPATION NOTES ISSUED THEREFOR; AND FURTHER DETERMINING THAT THE NEW PLAN OF FINANCING INCLUDES THE EXPENDITURE OF SAID GRANT FUNDS OF THE CITY TO PAY A PORTION OF THE COST OF THE PROJECT OR TO REDEEM BOND ANTICIPATION NOTES ISSUED THEREFOR, THE ISSUANCE OF BONDS OF THE CITY IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,100,000 TO FINANCE A PART OF SAID COST AND THE LEVY AND COLLECTION OF TAXES UPON ALL THE TAXABLE REAL PROPERTY IN THE CITY TO PAY THE PRINCIPAL OF SAID BONDS AND THE INTEREST THEREON AS THE SAME SHALL BECOME DUE AND PAYABLE.

WHEREAS, pursuant to the bond ordinance adopted on February 17, 2016 (the "2016 Bond Ordinance"), the Council of the City of Binghamton (the "City"), in Broome County, New York, authorized the installation of Water Filtration/Sludge Extraction System (the "Project"); stated that the estimated maximum cost thereof was \$5,100,000; appropriated said amount therefor pursuant to Ordinance No. \_\_\_\_; and authorized the issuance of serial bonds in the principal amount of not to exceed \$5,100,000 to finance said appropriation;

WHEREAS, the City has received or expects to receive grant funds on account of the Project from the State of New York in the amount of not to exceed \$3,000,000 and said amount has been or will be appropriated by the City to pay a portion of the cost of the Project;

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

WHEREAS, it has now been determined that the total cost of the Project is \$6,100,000 and it is necessary and in the public interest to increase the estimated maximum cost of the Project from \$5,100,000 to \$6,100,000 and amend the plan of finance for the Project, and

WHEREAS, the amount of bonds authorized for the Project will remain at \$5,100,000.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. The Council of the City of Binghamton (the "City"), in the Broome County, New York, hereby determines that the new estimated maximum cost of the installation of Water Filtration/Sludge Extraction System (the "Project"), including preliminary costs and costs incidental thereto and the financing thereof, all heretofore authorized and approved by the Council of the City pursuant to the bond ordinance adopted on February 17, 2016 (the "2016 Bond Ordinance"), is \$6,100,000.

Section 2. The Council of the City hereby further determines that grant funds in the amount of not to exceed \$3,000,000 from the State of New York have been or are expected to be received on account of said Project and shall be appropriated pursuant to Ordinance No. \_\_\_\_\_ to pay a portion of the cost of the Project or the redeem bond anticipation notes issued therefor.

Section 3. The Council of the City further determines that the plan of financing, as amended, includes the expenditure of such grant funds received or expected to be received by the City in the amount of not to exceed \$3,000,000 to pay a portion of the cost of the Project or to redeem bond anticipation notes issued therefor, the issuance of bonds of the City in the principal amount of not to exceed \$6,100,000 to finance a part of the cost of the Project and the levy and collection of taxes upon all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 4. This Ordinance shall take effect immediately.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Strawn, Scanlon

Introduced by Committee: MPA

**ORDINANCE**

*entitled*

**AN ORDINANCE AUTHORIZING SALE OF A  
PORTION OF 1209 VESTAL AVE AND AN  
EASEMENT WITH PRITCHARD PROPERTY  
DEVELOPMENT, LLC**

WHEREAS, the City of Binghamton is the owner of certain real property located at 1209 Vestal Ave, Binghamton, New York, Tax Parcel No. 160.65-3-10 (the "Premises"); and

WHEREAS, Pritchard Property Development, LLC (the "Applicant") is the owner of adjacent real property located at 33 S. Washing St., Binghamton, New York, Tax Parcel No. 160.65-3-1; and

WHEREAS, the Applicant received site plan approval from the City of Binghamton Planning Commission for development of the adjacent real property, which included a request to (i) purchase a portion of the Premises for improved interior circulation and (ii) an easement for ingress/egress from the City's public parking area to the adjacent real property; and

WHEREAS, the Applicant made an offer to purchase a portion of the Premises for \$500 and to provide snow removal and other maintenance services for the City's public parking area in consideration of the easement; and

WHEREAS, the City has no public use for the portion of the Premises and the easement will provide a benefit to the existing public parking area; and

WHEREAS, the Assessor of the City of Binghamton has determined the sale price to be fair and equitable; and

WHEREAS, the Board of Estimate and Apportionment approved and recommended sale of the Premises on June 10, 2020 and the easement on July 22, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain by at least a three-fourths vote as follows:

Section 1. That the Mayor of the City of Binghamton is hereby authorized to enter into a contract for sale and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, to transfer a portion of the Premises to Pritchard Property Development, LLC by bargain and sale deed for \$500 to be paid by wire transfer, certified, or local bank check.

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Section 2. That the Mayor of the City of Binghamton is hereby authorized to enter into an easement agreement and to execute all necessary and appropriate documentation, approved as to form and content by the Office of Corporation Counsel, with Pritchard Property Development, LLC for ingress and egress from the City's public parking area to the adjacent real property owned by Pritchard Property Development, LLC at 33 S. Washing St. Tax Parcel No. 160.65-3-1.

Section 3. That this approval is subject to (i) the portion of the Premises to be transferred will be merged with Applicant's adjacent real property at 33 S. Washing St. Tax Parcel No. 160.65-3-1, (ii) the Office of Corporation Counsel and Planning Department acceptance of a snow removal and other maintenance plan for the City's public parking area as part of an easement agreement, and (iii) adequate liability insurance.

Section 4. That this Ordinance shall take effect immediately.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH  
JOHN W. DANFORTH COMPANY FOR  
CHANGE ORDER NO.3 REGARDING THE  
BINGHAMTON-JOHNSON CITY JOINT  
SEWAGE TREATMENT FACILITIES PHASE III  
PROJECT

WHEREAS, the City of Binghamton contracted with John W. Danforth Company for the Binghamton-Johnson City Joint Sewage Treatment Facilities Phase III Project; and

WHEREAS, the City Engineer recommends the Mayor enter into an agreement with John W. Danforth Company for Change Order No. 3 at a cost of \$57,808, which exceeds 25% of the original contract price after approval of Change Orders Nos. 1 and 2; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into an agreement, approved as to form and content by the Office of Corporation Counsel, with John W. Danforth Company for Change Order No. 3 in an amount not to exceed \$57,808 for the Binghamton-Johnson City Joint Sewage Treatment Facilities Phase III Project, and that funds will be deducted from budget line HX8150.500200.J1NN (Const.Serv.Nonflood) for this purpose.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller





**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Planning

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO AN AGREEMENT WITH THE  
NYSDOT TO MAINTAIN, REPAIR, AND  
ENERGIZE LIGHTING INSTALLED FOR THE  
GREENWAY PROJECT, NYS ROUTE 434 (SH #  
49-8), PIN 903826

WHEREAS, the State of New York Department of Transportation proposes to install lighting system on or along with the project located in County of Broome and within the geographical jurisdiction of the MUNICIPALITY of City of Binghamton, and

WHEREAS, the City of Binghamton approves of such project and desires to have a lighting system on such highway within its geographical jurisdiction, and

WHEREAS, the State of New York has agreed to provide as part of the project the lighting system the items described in Article 2 of the lighting agreement provided that the MUNICIPALITY of the City of Binghamton agrees to maintain, repair and operate such highway lighting for a period of not less than twenty-five years.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the City of Binghamton does approve the above subject project; and it is further

RESOLVED that the City of Binghamton shall maintain, repair and energize highway lighting system; and it is further

RESOLVED that the City Council of the City of Binghamton hereby authorizes the Mayor of the City of Binghamton to enter into agreement with the State of New York and through the Commissioner of Transportation to commit the City of Binghamton to maintain at its own expense the lighting system on the above -identified project; and that such agreement provides that maintenance shall include the repair and replacement of equipment, energizing and the operation of such highway lighting; and be it further

RESOLVED, that the Clerk of this City of Binghamton is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation, 44 Hawley Street, Binghamton, New York 13901-3200, Attention Regional Utility Engineer.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Public Works/Parks

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE CITY OF  
BINGHAMTON TO ACCEPT A DONATION OF  
IN-KIND SERVICES FROM THE BOCES  
SUMMER YOUTH EMPLOYMENT FOR  
IMPROVEMENTS AT CITY OF BINGHAMTON  
PARKS

WHEREAS, the BOCES Summer Youth Employment has donated in-kind services for improvements at City of Binghamton Parks; and

WHEREAS, BOCES Summer Youth Employment has offered to provide youths between the ages of 14-20 with paid summer employment for up to six weeks in July and August; and

WHEREAS, the BOCES Summer Youth Employees are funded through the State Office of Temporary and Disability Assistance; and

WHEREAS, the City of Binghamton wishes to accept the donations.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the City of Binghamton is hereby authorized to accept the in-kind services from the BOCES Summer Youth Employment program for improvements at City of Binghamton Parks.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Rescinti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE CITY OF  
BINGHAMTON TO ACCEPT A DONATION  
FROM THE EWS FOUNDATION TO PAY  
DELTA ENGINEERS FOR ENGINEERING  
WORK FOR THE FAIRVIEW PARK PROJECT IN  
THE AMOUNT OF \$9,400

WHEREAS, the EWS Foundation has offered to donate \$9,400 to the City of Binghamton to pay Delta Engineers for engineering work for the Fairview Park project; and

WHEREAS, the City of Binghamton wishes to accept the donation.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the City of Binghamton is hereby authorized to accept \$9,400 from the EWS Foundation to pay Delta Engineers for engineering work for the Fairview Park project and for the Comptroller to amend the budget accordingly.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Public Works/Parks

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO A PROFESSIONAL SERVICES  
AGREEMENT WITH PLAY BY DESIGN FOR  
DESIGN, PRE-CONSTRUCTION, AND  
CONSTRUCTION SUPERVISION FOR  
OURSPLACE AT RECREATION PARK


WHEREAS, the Commissioner of Parks and Recreation recommends the City enter into a Professional Services agreement with Play By Design for the design, pre-construction, and construction supervision for OurSpace at Recreation Park; and

WHEREAS, the total estimated cost for such services is \$150,000, which may increase for additional construction supervision if construction exceeds seven days.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into a Professional Services agreement, approved as to form and content by the Office of Corporation Counsel, with Play By Design for design, pre-construction, and construction supervision for OurSpace at Recreation Park at an estimated cost of \$150,000, and for any increase for additional construction supervision if construction exceeds seven days, and that funds will be deducted from budget line H7110.525899.PK013 (OurSpace Reconstruction) for this purpose.

I HEREBY CERTIFY that the above described  
funds are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Rules/Special Studies

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE  
BINGHAMTON RUMBLE PONIES TO  
CONDUCT FIREWORK DISPLAYS IN 2020

WHEREAS, pursuant to the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405, it is necessary for the Council of the City of Binghamton to authorize any requested fireworks displays; and

WHEREAS, the Binghamton Rumble Ponies have requested to conduct fireworks displays at NYSEG Stadium on July 31, 2020, with a rain date of August 1, 2020 and September 4, 2020 with a rain date of September 5, 2020.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Binghamton Rumble Ponies are hereby granted permission to hold fireworks displays on July 31, 2020, with a rain date of August 1, 2020 and September 4, 2020 with a rain date of September 5, 2020; and be it further

RESOLVED that all displays are subject to approval by the Fire Marshal; and be it further

RESOLVED that the Binghamton Rumble Ponies pay all applicable fees, and comply with all safety precautions, road closings, and other requirements and obligations as required by the Code of the City of Binghamton § 229-2, *Fireworks authorized*, § 235-18, *Fireworks displays*, and New York State Penal Law § 405; and be it further

RESOLVED that the Binghamton Rumble Ponies will comply with all New York State guidelines regarding the COVID-19 pandemic regarding attendance and such fireworks displays.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Rescinti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: MPA

**RESOLUTION**

*entitled*

**A RESOLUTION AUTHORIZING THE CITY OF  
BINGHAMTON TO ACCEPT A DONATION  
FROM THE WEST ISLIP FIRE DISTRICT TO  
THE BINGHAMTON FIRE DEPARTMENT**

WHEREAS, the West Islip Fire District has offered to donate, one six position gear rack, two ten position gear racks and one five position gear racks, in "as is condition" to the City of Binghamton Fire Department; and

WHEREAS, the City of Binghamton wishes to accept the donation.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the City of Binghamton is hereby authorized to accept one six position gear rack, two ten position gear racks and one five position gear racks, in "as is condition" to the City of Binghamton Fire Department, from the West Islip Fire District





**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Municipal & Public Affairs

**RESOLUTION**

*entitled*

**A RESOLUTION CONDEMNING HATEFUL  
ACTS AND RACISM**

WHEREAS, the Declaration of Independence defined the founding of the United States of America on the unalienable rights of life, liberty, and the pursuit of happiness, and governments deriving their just powers from the consent of the governed and today we often turn to words written in the Declaration, "We hold these truths to be self-evident, that all men are created equal"; and

WHEREAS, the Fourteenth Amendment to the U.S. Constitution affirmed equal protection under the law; and

WHEREAS, from slavery and Jim Crow laws, to segregation and the modern criminal justice system, systemic racism has led to Black people in America being brutalized and dehumanized for centuries; and

WHEREAS, even in the 21st Century, communities of color have endured the violent acts of racist and white supremacist groups, as well as illegal killings by law enforcement; and

WHEREAS, on May 25, 2020, 46-year-old Black father of two, George Floyd, pleaded for his life while handcuffed and on the ground, while a police officer pushed his knee into Mr. Floyd's neck for eight minutes and forty-six seconds, ultimately killing Mr. Floyd in a horrific act of murder; and

WHEREAS, racism and death still continue to plague our country despite many pleas for change; and

WHEREAS, civil rights leaders have reported an increase in bias, harassment, and hate crimes, particularly against Asian American, Black, Jewish, Latino, immigrant and other marginalized communities; and

WHEREAS, racism, xenophobia and intolerance are evils prevalent in all societies; and

WHEREAS, continued failures of our institutions to rightfully address the effects of oppression and inequality have perpetuated these injustices; and

WHEREAS, on May 31, 2020, one thousand community members marched on Main Street to Recreation Park in protest of these acts, joining one of the largest protest movements in American history; and

**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

WHEREAS, “Equal Justice Under the Law” is engraved on the west pediment of the United States Supreme Court, this City Council believes all government officials should work together toward making this a reality; and

NOW, THEREFORE, BE IT RESOLVED, THIS CITY COUNCIL,

Celebrates the Life and Advocacy of John Lewis who spent much of his life fighting to end racism of all kinds; with only actions and words that placed peace and non-violence above all else; and

Unequivocally condemns the killing of George Floyd, Ahmaud Arbery, Eric Garner, Breonna Taylor, and condemns all acts of racism; and

Rejects discrimination of any kind, and denounces related harassment based on race, ethnicity, physical ability, socioeconomic status, gender or sexual orientation, age or religion; and

Encourage citizens to promote inclusiveness, celebrate diversity, support our fellow residents and reject hate in all forms; and

Aims to make the City of Binghamton an even more welcoming, inclusive, and safe community to all, regardless of race or ethnicity, and in doing so listen to and honor our marginalized communities.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Riley, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Finance

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO A PAYMENT IN LIEU OF  
TAXES (PILOT) AGREEMENT WITH  
OPPORTUNITIES OF BROOME AND  
CHENANGO INC., FOR 542 STATE ST.

WHEREAS, Opportunities of Broome and Chenango Inc., are the owners of real property at 542 State Street, Binghamton, New York, Tax Parcel No. 144.67-3-18; and

WHEREAS, Opportunities for Broome and Chenango Inc., is a not-for-profit corporation exempt from local real estate taxes; however it has otherwise agreed to make payments in lieu of taxes ("PILOT") for said property; and

WHEREAS, the initial PILOT Agreement has expired and Opportunities for Broome and Chenango Inc. and the City of Binghamton wish to renew the PILOT for ten (10) years for Two Thousand, Four Hundred Dollars (\$2,400) per year for six (6) dwelling units; and

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that the Mayor, or his designee, is hereby authorized to enter into a PILOT Agreement, approved as to form and content by the Office of Corporation Counsel, with Opportunities of Broome and Chenango, Inc. for 542 State Street, Binghamton, New York, Tax Parcel No. 144.67-3-18, for ten (10) years in the amount of Two Thousand, Four Hundred Dollars (\$2,400) per year for six (6) dwelling units, for the benefit of the City, Broome County, and the Binghamton City School District.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: July 22, 2020

Sponsored by Council Members: Resciniti, Friedman, Burns, Strawn, Scanlon

Introduced by Committee: Planning

**RESOLUTION**

*entitled*

A RESOLUTION AUTHORIZING THE MAYOR  
TO ENTER INTO A LEASE WITH  
BINGHAMTON TECH LLC FOR 155 COURT ST.  
FOR A TEMPORARY FIRE STATION

WHEREAS, the City of Binghamton wishes to lease a portion of a building from Binghamton Tech LLC at 155 Court Street, Tax Map 151 Court Street (Parcel ID 160.41-2-3) to be used as a temporary Binghamton Fire Department Station; and

WHEREAS, the proposed lease term is from August 1, 2020, through September 30, 2021, with an option to extend the lease on a month to month basis; and

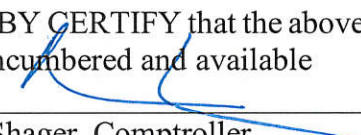
WHEREAS, the base monthly rent is \$6,015.75 together with additional rent, *e.g.*, for tenant improvements and proportionate insurance; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE that the Mayor, or his designee, is hereby authorized to enter into a lease, approved as to form and content by the Office of Corporation Counsel, with Binghamton Tech LLC for a portion of a building at 155 Court Street, Tax Map 151 Court Street (Parcel ID 160.41-2-3) be used as a temporary Binghamton Fire Department Station; and that funds will be deducted from budget line A3410.54205 (Relocation Expense) for this purpose.

I HEREBY CERTIFY that the above described funds  
are unencumbered and available

  
\_\_\_\_\_  
Chuck Shager, Comptroller